

January 11, 2022

The Hon. Stephen L. Crocker
United States Magistrate Judge
120 N. Henry Street
Madison, WI 53703

Re: *United States v. Timothy Thomas*, 20-CR-148-wmc

Dear Judge Crocker,

I write in response to the Court's text-only order regarding an NGI defense. Mr. Thomas, who is in custody at the Dane County Jail, and I discussed the matter at some length. Given that raising an NGI defense may result in Thomas's return to a BOP facility for an examination, the defense has made the tactical choice to forgo any NGI defense. Thomas understandably wants to avoid the delay—and transit in custody—that an examination would require.

Thank you for your time in considering this matter. As always, if the Court requires anything further from me, please do not hesitate to contact me.

Sincerely,

/s/ Peter R. Moyers